

JAN 18 2019

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that agricultural theft
2 and vandalism are a constant worry for farmers and ranchers in
3 the State. Given the broad acreage that many farming and
4 ranching operations encompass, it is often difficult for farmers
5 and ranchers to police their entire operations at all times.
6 Furthermore, vigilance at night after work hours may be
7 challenging because not all farmers and ranchers are able to
8 live on or near the fields where they work. All of these
9 factors make agricultural operations easy prey for theft or
10 vandalism.

11 The legislature also finds that the county of Hawaii is
12 known as the breadbasket of the State. However, agricultural
13 theft and vandalism have been a constant threat for farmers and
14 ranchers on the island, increasing the cost of production and
15 making it more difficult for farming and ranching operations to
16 be successful.



1 The legislature further finds that individuals who grow
2 food or other agricultural products for their own use or for
3 small-scale sale also may be targets of agricultural product
4 theft and vandalism. This theft and vandalism dispossesses
5 victims of food they have grown, deprives them of a source of
6 income, and reduces their self-sufficiency.

7 The purpose of this Act is to establish a two-year
8 agricultural theft and vandalism pilot project to examine the
9 effectiveness of prosecuting agricultural theft and vandalism
10 cases in the county of Hawaii, including theft and vandalism
11 affecting individuals who are not full-time farmers or ranchers.

12 SECTION 2. (a) The department of agriculture shall:

- 13 (1) Establish a two-year agricultural theft and vandalism
14 pilot project to examine and assess the effectiveness
15 of prosecuting agricultural theft and agricultural
16 vandalism cases in the county of Hawaii;
- 17 (2) Examine and assess the effectiveness of prosecuting
18 the theft of agricultural products produced for
19 personal or small-scale commercial use on any land,
20 regardless of land classification;



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- 1 (3) Partner with the county of Hawaii to hire two
2 enforcement officers within the prosecuting attorney's
3 office or any other law enforcement agency; and
4 (4) Assess the implementation of the pilot project,
5 including the pilot project's effectiveness in:
6 (A) Identifying the number of convictions for
7 agricultural theft and agricultural vandalism;
8 (B) Identifying best practices for prosecuting
9 perpetrators of agricultural theft and
10 agricultural vandalism;
11 (C) Identifying areas where agricultural theft and
12 agricultural vandalism are most prevalent;
13 (D) Identifying best practices for preventing
14 agricultural theft and agricultural vandalism;
15 and
16 (E) Making recommendations for a statewide program to
17 address agricultural theft and agricultural
18 vandalism.
19 (b) Based on the department of agriculture's assessment of
20 the agricultural theft and vandalism pilot project, the



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1 department shall determine whether to continue, expand, or end
2 the pilot project.

3 (c) The department of agriculture shall submit reports to
4 the legislature of its findings and recommendations, including
5 any proposed legislation, no later than twenty days prior to the
6 convening of the regular sessions of 2020 and 2021.

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$200,000 or so much
9 thereof as may be necessary for fiscal year 2019-2020 and the
10 same sum or so much thereof as may be necessary for fiscal year
11 2020-2021 for the establishment and implementation of a two-year
12 agricultural theft and vandalism pilot project, including the
13 hiring of two full-time equivalent enforcement officers (2.0
14 FTE) for the pilot project.

15 The sums appropriated shall be expended by the department
16 of agriculture for the purposes of this Act.

17 SECTION 4. This Act shall take effect on July 1, 2019.

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INTRODUCED BY:

Randy De Beer

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S.B. NO. 759

Report Title:

HDOA; Agricultural Theft and Vandalism Pilot Project; County of Hawaii; Appropriation

Description:

Requires the Department of Agriculture to establish a 2-year Agricultural Theft and Vandalism Pilot Project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the County of Hawaii. Appropriates funds.

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